

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

BELL, INC.

Petitioner

v.

BELL PACKAGING CORP.

Respondent

*

* Cancellation No. 31904

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06-13-2002

U.S. Patent & TMO/TM Mail Rpt Dt. #73

REQUEST FOR EXTENSION OF TESTIMONY PERIOD

February 21, 2002, in a telephone conversation between Petitioner's attorney (Mr. Gipple) and respondent's attorney (Ms. Nesser), the latter said she would assemble a settlement proposal, based on differences between the respective parties' goods and services. A 60-day extension of the testimony periods was stipulated.

May 7, 2002, as the end of opposer's testimony period was approaching, Mr. Gipple called Ms. Nesser and was told that she had the settlement proposal ready, was awaiting her client's approval and expected to get it sent out in the next few days. A 30-day extension was stipulated.

June 11, 2002, as the end of opposer's testimony period approached, still no settlement proposal had been received by Mr. Gipple who therefore called Ms. Nesser. She informed him that respondent was no longer interested in settlement and would stipulate no further extension.

Up to this time, petitioner had been encouraged to believe that a settlement was reachable and imminent. Now, three days before the end of its testimony period, negotiations are abruptly terminated.

Under the circumstances, petitioner needs some additional time to schedule and conduct testimony depositions.

Accordingly, petitioner requests that its testimony period be reset to run for 30 days from the granting of this request.

Respectfully submitted,

BELL, INC.


By: J.W. Gipple

GIPPLE & HALE
Counsel for Petitioner
P.O. Box 40513
Washington, D.C. 20016
(703) 448-1770 Ext. 302

Date: 6/10/02

Attorney Ref.: Z-1604

Certificate of Service

I hereby certify that this paper is being deposited with the U.S. Postal Service, First Class, to the Trademark Trial and Appeal Board, Honorable Commissioner of Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513 and by Certified, Return Receipt Requested, U.S. First Class Mail to Anita Nesser, Esq., Baker Botts LLP, 2001 Ross Avenue, Dallas, Texas 75201-2980, Respondent's Attorney, this 12th day of June, 2002.

Date:

6/12/02

Signature:

J. W. Dijk

LAW OFFICES OF
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June 12, 2002

Trademark Trial and Appeal Board
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2900 Crystal Drive
Arlington, Virginia 22202-3513



06-13-2002

U.S. Patent & TMO/TM Mail Rcpt Dt. #73

Re: **Bell, Inc. v. Bell Packaging Corp.**
Cancellation No. 31904
Request for Extension of Testimony Period
Our Ref.: Z-1604

Dear Sir:

Enclosed please find a Request for Extension of Testimony Period for the above-identified Cancellation proceeding.

If you have any questions, please let us know.

Respectfully submitted,

GIPPLE & HALE


J.W. Gipple

JWG/llb
Enclosure

02 JUN 27 AM 12:43
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Date: 6-12-02

Signature: Lisa Lynn Beyer